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DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As the below-named inventors, we hereby declare  
that:

My residence, post office address and  
citizenship are as stated below next to my name.

I believe I am an original, first and joint  
inventor of the subject matter which is claimed and for which  
a patent is sought on the invention entitled TUMOR SPECIFIC  
HUMAN MONOCLONAL ANTIBODIES AND METHODS OF USE the  
specification of which

\_\_\_\_\_ is attached hereto as Attorney Docket  
No.  
  X   was filed on December 2, 1998,  
(Attorney Docket No.P-IX 2947)  
as Application Serial No.09/203,768.  
and was amended on (or amended through) \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and  
understand the contents of the above-identified specification,  
including the claims, as amended by any amendment(s) referred  
to above.

I acknowledge the duty to disclose information  
which is material to the examination of this application in  
accordance with Title 37, Code of Federal Regulations, Sec.  
1.56(a).

I hereby declare that all statements made  
herein of my own knowledge are true and that all statements  
made on information and belief are believed to be true; and  
further that these statements were made with the knowledge  
that willful false statements and the like so made are  
punishable by fine or imprisonment, or both, under Section

Inventors: Watkins and Huse  
Serial No.: 09/203,768  
Filed: December 2, 1998  
Page 2

1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

CATHRYN CAMPBELL, Registration No. 31,815; SUSAN M. PERKINS, Registration No. 36,405; PAUL C. STEINHARDT, Registration No. 30,806; GREGORY R. HOOK, Registration No. 38,701; DAVID SPOLTER, Registration No. 36,933; DAVID A. GAY, Registration No. 39,200; CALVIN A. FAN, Registration No. 38,444; ROBERT T. RAMOS, Registration No. 37,915; ANDREA L. GASHLER, Registration No. 41,029; and JAMES J. WONG, Registration No. 34,949. Direct all telephone calls to Cathryn Campbell at telephone no. (619) 535-9001.

Address all correspondence to:

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Full name of first inventor: JEFFRY D. WATKINS

Inventor's signature: Jeffrey D. Watkins

Date: 2/18/99

Residence: Encinitas, California

Citizenship: United States

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Inventors: Watkins and Huse  
Serial No.: 09/203,768  
Filed: December 2, 1998  
Page 3

Full name of second inventor: William D. Huse

Inventor's signature: W. D. Huse

Date: 2/18/99

Residence: Del Mar, California

Citizenship: United States

Post Office Address: 471 Avenida Primavera  
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Docket No. P-IX 2947

Applicants or Patentees: Watkins and Huse

Serial or Patent No.: 09/203,768

Filed or Issued: December 2, 1998

For:

TUMOR SPECIFIC HUMAN MONOCLONAL ANTIBODIES AND METHODS OF USE



VERIFIED STATEMENT (DECLARATION) CLAIMING  
SMALL ENTITY STATUS (37 CFR 1.9(F) AND 1.27(C))

SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: IXSYS, Incorporated  
ADDRESS OF SMALL BUSINESS CONCERN: 3520 Dunhill Road  
San Diego, California 92121

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled TUMOR SPECIFIC HUMAN MONOCLONAL ANTIBODIES AND METHODS OF USE by inventors JEFFRY D. WATKINS and WILLIAM D. HUSE as described in

- ☐ the specification filed herewith
- ☒ application serial no. 09/203,768, filed December 2, 1998
- ☐ patent no. , issued

Inventors: Watkins and Huse  
Serial No.: 09/203,768  
Filed: December 2, 1998  
Page 2

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME:

ADDRESS:

- ☐ INDIVIDUAL
- ☐ SMALL BUSINESS CONCERN
- ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: William D. Huse

TITLE IN ORGANIZATION: CEO + CSO


ADDRESS OF PERSON SIGNING:

SIGNATURE: 

DATE: 1-15-99

Verified Statement Claiming Small  
Entity Status  
P-IX 2947  
Serial No.: 09/203,768

I hereby certify that this correspondence is being deposited with  
the United States Postal Service as first class mail in an  
envelope addressed to: Assistant Commissioner for Patents,  
Washington, D.C. 20231, on March 3, 1999.

By   
\_\_\_\_\_  
David A. Gay Reg. No. 39,200  
  
\_\_\_\_\_  
March 3, 1999  
Date of Signature